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FILED

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**SECRETARY, BOARD OF
OIL, GAS & MINING**

BEFORE THE UTAH BOARD OF OIL, GAS AND MINING

In the matter of the Request for Agency Action of QEP Energy Company for approval of unit operations and enhanced and secondary recovery operations and certification of these operations as an enhanced recovery project for the green river formation underlying portions of the red wash unit.

Division's Response to QEP's Motion to Designate a Hearing Officer

Docket No. 2015-016

Cause No. C/025/005

The Utah Division of Oil, Gas and Mining submits this motion to advise the Board on QEP Energy's request to designate a Hearing Officer in this enhanced recovery matter. The Division suggests that the Board consider two points before granting QEP's request.

First, approval and certification of enhanced recovery operations is a complex question of law and fact that has potentially significant tax ramifications for the State of Utah. Indeed, enhanced recovery operations are somewhat uncommon for hearing generally. And in this case, QEP is seeking to apply statute and rule to an

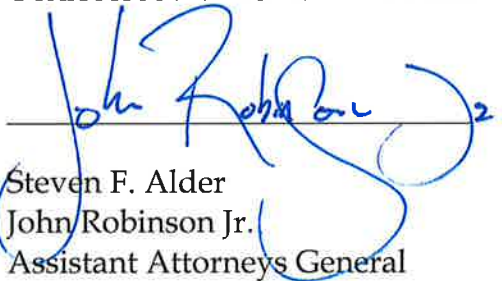
enhanced recovery project that was implemented over ten years ago, rather than requesting certification of a future project (as is normally the case). As such, is a unique matter for hearing before the Board and is a matter of first impression for the Board members. As another ramification of this unique request, any designated Hearing Examiner would have no Board precedent to rely on when making her recommendation. Thus, the Division believes that the Board and its members will benefit from conducting a full hearing on this request.

Second and related, the Board's composition is specifically designed to benefit the State of Utah by bringing diverse expertise to bear on important questions of this type. In matters such as this, the Division believes that the public is best served by full Board involvement—a diverse seven-member panel is best suited to weigh the policy considerations associated with QEP's enhanced recover project.

For these reasons, the Division respectfully urges the Board to balance these considerations when it deliberates on QEP's request to designate a Hearing Examiner in this matter.

Submitted on March 24, 2015.

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CERTIFICATE OF SERVICE

I certify that I delivered a copy of the Utah Division of Oil, Gas and Mining's Response to Motion to Designate a Hearing Officer to the following parties by email on March 24, 2015:

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